

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

DR. STEPHEN T. SKOLY, Jr.,

Plaintiff,

v.

DANIEL J. McKEE, in his official capacity as the Governor of the State of Rhode Island; JAMES McDONALD, in his official capacity as the Interim Director of the Rhode Island Department of Health, and MATTHEW D. WELDON, in his official capacity as the Director of the Rhode Island Department of Labor and Training.

Defendants.

C.A. 1:22-cv-00058-MSM-LDA

MOTION TO AMEND VERIFIED COMPLAINT

Pursuant to Federal Rule of Civil Procedure 15(a)(2) and Local Rule of Civil Procedure 15, Plaintiff Dr. Stephen T. Skoly, Jr., by and through undersigned counsel, moves to amend the Complaint. The proposed Second Amended Verified Complaint is attached to this Motion.

The Verified Complaint was filed on February 4, 2022. It was amended as of right on February 18, 2022. The Motions for pre-trial relief were withdrawn on March 21, 2022. Defendants did not answer or move to dismiss the Complaints. On April 11, 2022, it was stipulated with Defendants McKee and McDonald that, upon the receipt of a Second Amended Verified Complaint, defendants would have 45 days to answer or move.

The original and first amended complaints each alleged two causes of action in 191 allegations against two defendants, Governor McKee and Interim Director McDonald: The complaints were, respectively, 33 and 35 pages.

The proposed Second Amended Verified Complaint is 23 pages with 176 allegations. The originally pleaded causes of action are updated and focused. Based on recent events and additionally uncovered facts, two causes of action have been added: A First Amendment claim and a claim regarding the denial of unemployment benefits. The original defendants are named in the two new counts (Three and Four) and a third defendant, Department of Labor Director Weldon, has been added to Count Four.

The amendment is necessary for Plaintiff to allege a complete and accurate statement of his claims. No defendant is prejudiced by the proposed amendment.

For the foregoing reasons, it is respectfully requested that the amendment be granted.

April 26, 2022

Respectfully submitted,

/s/ Brian Rosner

Brian Rosner*
Senior Litigation Counsel
NEW CIVIL LIBERTIES ALLIANCE
1225 19th Street NW, Suite 450
Washington, DC 20036
Telephone: (202) 869-5210
Facsimile: (202) 869-5238
Brian.Rosner@NCLA.legal
* Admitted only in New York. DC practice limited to matters and proceedings before United States courts and agencies. Practicing under members of the District of Columbia Bar.

/s/ Jenin Younes

Jenin Younes*
Litigation Counsel
NEW CIVIL LIBERTIES ALLIANCE
1225 19th Street NW, Suite 450
Washington, DC 20036
Telephone: (202) 869-5210
Facsimile: (202) 869-5238
jenin.younes@ncla.legal

* Admitted only in New York. DC practice limited to matters and proceedings before United States courts and agencies. Practicing under members of the District of Columbia Bar.

/s/ Gregory Piccirilli

Gregory Piccirilli, Esq., #4582
148 Atwood Ave., #302
Cranston, Rhode Island 02920
Telephone: (401) 578-3340
gregory@splawri.com

/s/ Christy B. Durant

Christy P. Durant, Esq. #7128
875 Centerville Road
Building 4, Unit #12
Warwick, RI 02886
Telephone: (401) 524-6971
Facsimile: (401) 825-7722

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I filed the within via the ECF filing system and that a copy is available for viewing and downloading. I have also caused a copy to be sent via the ECF System to counsel of record on this 26th day of April, 2022.

/s/Gregory Piccirilli